



Your Ref:

Our Ref: HAM:MQ:TP:CIRC040912

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## CIRCULAR TO CREDITORS AND ACCOUNT HOLDERS

Dear Sir/Madam

**RE: SPORTS ALIVE PTY LTD**  
**(IN LIQUIDATION)**  
**ACN 069 087 332 - ABN 49 069 087 332 ("the company")**  
**Formerly Trading At Level 1, Thoroughbred Park Canberra Racecourse,**  
**Randwick Road, LYNEHAM ACT 2602, and**  
**Level 1, 552 City Road, SOUTH MELBOURNE VIC 3205**

I refer to my Circular dated 6 August 2012.

Our originating process issued in the Supreme Court of Victoria seeking directions in respect of the funds held by the Bank of Queensland and National Australia Bank Ltd was returned before Her Honour Justice Ferguson on 31 August 2012. The following orders have been made in respect of the application:

1. The ACT Gaming and Racing Commission (GRC) is to file any affidavit material it wishes to rely upon by 19 September 2012;
2. Submissions are to be filed and exchanged by 2 October 2012;
3. The matter is listed for hearing on 10 October 2012;
4. Costs reserved.

The GRC advised the Court that as it considers itself to be a proper contradictor, it intends to seek costs, if applicable, against the fund. I have advised the GRC that we are concerned that it is incurring unnecessary costs in the application including the engaging of Senior Counsel. I further advised the GRC that in the event the Court determines that it is entitled to costs of the application I will submit that it should only be awarded such costs as are reasonable in the circumstances, which do not include senior counsel's fees. I have also advised that our rights are reserved, including the right to submit that the GRC should bear its own legal costs of the application.

If you have any queries please forward your queries to [sportsalive@bentcogle.com.au](mailto:sportsalive@bentcogle.com.au). Please note that I may not be able to respond to all queries received, however I will provide responses to those queries in future reports.

In accordance with previous advice please continue to monitor the website [www.bentcogle.com.au](http://www.bentcogle.com.au) where all relevant information will be posted.

DATED this 4th day of September 2012.

**HAMISH MACKINNON**  
**JOINT LIQUIDATOR**